

**REMARKS**

This Amendment is submitted in response to the Examiner's Action mailed March 23, 2004, with a shortened statutory period of three months set to expire June 23, 2004. Claims 1-24 are currently pending. With this amendment, claims 1, 3, 5-8, 13-14, and 19-20 have been amended, claims 12, 18, and 24 have been canceled; and claims 25-27 have been added.

Applicant has amended the claims to describe a hypervisor that includes a plurality of selectable function sets. Each function set includes a list of hypervisor function calls that are provided by the hypervisor. These function calls can be called by any of the operating systems get the hypervisor to perform tasks for the calling operating system. The hypervisor receives a selection of one of the function sets. The selected function set is then enabled. The hypervisor informs each operating system of an enabled function set. Function calls that are included in the enabled function set are enabled for use by each operating system and function calls that are not included in the enabled function set are disabled for use.

Claims have been added that describe the selection of the function set being received from the platform and being received from a user. Another new claim describes during booting of each one of the operating systems, passing a parameter to each operating system that identifies the selected function set.

The Examiner rejected claims 7-11, 13-17, and 19-23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application 2002/0016892 published by *Zalewski*.

These claims have been amended to describe a hypervisor that includes a plurality of function sets. The Examiner states that *Zalewski* does not describe a hypervisor including a plurality of function sets. *Zalewski* does not anticipate the amended claims. This rejection is believed to be overcome.

The Examiner rejected claims 1-6, 12, 18, and 24 under 35 U.S.C. § 103(a) as being unpatentable over *Zalewski* in view of U.S. Patent 5,437,033 issued to *Inoue*. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

Applicant has amended these claims to describe a plurality of selectable function sets. A function set includes a list of hypervisor function calls that are provided by the hypervisor which may be called by any of the operating systems. A selection of one of the function sets is received by the hypervisor. The selected function set is enabled. Functions that are included within the enabled function set are enabled. Functions that are not included within the enabled function set are disabled.

*Zalewski* describes a hypervisor and virtual machines. Applicant agrees with the Examiner's statement that *Zalewski* does not describe a hypervisor that includes a plurality of function sets. The Examiner uses *Inone* to supply this missing feature.

*Inone* describes a hypervisor and logical partitions. The hypervisor is referred to as a virtual machine monitor. The logical partitions are described as virtual machines. *Inone* describes control information being stored for a virtual machine (logical partition). According to *Inone*, the control information is saved in an area other than the address space. If a failure occurs such that control information for a virtual machine is destructed, the control information stored in the address space remains without being destructed. Thus, a virtual machine can be continuously executed using the remaining control information.

*Inone* does not describe a plurality of function sets where each function set includes a list of hypervisor function calls. The control information of *Inone* is stored for a logical partition and does not describe hypervisor function calls.

*Inone* teaches away from Applicant's claims. According to Applicant's claims, a function set is selected. *Inone* is concerned with ensuring continuous operation even though a failure due to a program error caused programs in main storage to be destroyed. *Inone* does not describe a selection of control information. In *Inone*, a selection would not be made of only a part of the control information. The control information is backed up so that operation can continue in case of a failure. *Inone* does not describe a selection of function set of hypervisor function calls.

*Inone* does not describe the control information as being hypervisor function calls that may be called by any of the operating systems. The control information is for a virtual machine (logical partition). Applicant describes a function set as including hypervisor function calls. These hypervisor function calls may be called by any

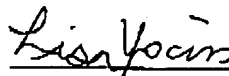
operating system. In *Inone*, if control information is for one virtual machine, it should not be available to be called by other virtual machines. If a first virtual machine were permitted to call control information that is stored for a second virtual machine, separation between virtual machines (logical partitions) would not be enforced. Permitting other virtual machines to access control information for another virtual machine would permit overlap of the virtual machines. According to Applicant, the hypervisor is for enforcing separation between the logical partitions. Therefore, the control information of *Inone* does not teach hypervisor function calls that may be called by any of the operating systems.

Applicant believes the application is now in condition for allowance. Applicant has rewritten the claims so that the claims objected to but otherwise allowable are now in independent form.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 06.23.04

Respectfully submitted,



Lisa L.B. Yociss  
Reg. No. 36,975  
Yee & Associates, P.C.  
P.O. Box 802333  
Dallas, TX 75380  
(972) 367-2001  
Attorney for Applicant